

ARCHIVE,CLOSED,LEAD

**U.S. District Court
District of Maryland (Baltimore)
CIVIL DOCKET FOR CASE #: 1:98-cv-00901-JHY**

Allnutt, et al v. USA
Assigned to: Senior Judge Joseph H Young
Demand: \$0
Case in other court: 00-01960(CaseMgr.J.St.John
00-01960(CaseMgr.J.St.John
01-01038

Cause: 05:552 Freedom of Information Act

Plaintiff

Fred W. Allnutt, Sr.

represented by **Fred W. Allnutt, Sr.**
10370 Baltimore National Pike
D130, Suite 605
Ellicott City, MD 21042
410-984-6476
PRO SE

V.

Defendant

Albert D. Adams, Jr.
*Disclosure Officer Internal Revenue
Service*
TERMINATED: 06/22/1998

represented by **Melissa Anemojanis Holton**
United States Department of Justice
PO Box 227
555 Fourth St NW
Washington, DC 20044
2023076426
Fax: 12025146866
TERMINATED: 06/22/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Marc Aronin
Revenue Officer Internal Revenue Service
TERMINATED: 06/22/1998

represented by **Melissa Anemojanis Holton**
(See above for address)
TERMINATED: 06/22/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Phil Brand
District Director
TERMINATED: 06/22/1998

represented by **Melissa Anemojanis Holton**
(See above for address)
TERMINATED: 06/22/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gordon R. Handler
Group Manager Internal Revenue Service
TERMINATED: 06/22/1998

represented by **Melissa Anemojanis Holton**
(See above for address)
TERMINATED: 06/22/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard L. Chauncey
Revenue Agent

represented by **Melissa Anemojanis Holton**
(See above for address)

TERMINATED: 06/22/1998

TERMINATED: 06/22/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Consol Defendant**U.S. Department of Justice, .**represented by **Melissa Anemojanis Holton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Pat Scurry-Genis**
United States Department of Justice
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Tamera Lynn Fine**
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36 S Charles St Fourth Fl
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14102094800
Fax: 14109623124
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Consol Defendant****Office of the United States Trustee**
*Region Four t*represented by **Melissa Anemojanis Holton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Defendant****United States of America/Internal
Revenue Service**represented by **Melissa Anemojanis Holton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/26/1998	1	COMPLAINT filed; with Exhibits A-D FILING FEE \$ 150.00 RECEIPT # B148342 (mdd, Deputy Clerk) (Entered: 03/27/1998)
03/26/1998	2	SUMMONS(ES)(60 days) issued for Albert D. Adams Jr., Marc Aronin, Phil Brand, Gordon R. Handler, Richard L. Chauncey (mdd, Deputy Clerk) (Entered: 03/27/1998)
05/26/1998	3	MOTION with memorandum in support by Albert D. Adams Jr., Marc Aronin, Phil Brand, Gordon R. Handler, Richard L. Chauncey to Dismiss (c/s) (slf, Deputy Clerk) (Entered: 05/27/1998)
05/27/1998	4	Rule 12/56 letter mailed to plaintiff. (slf, Deputy Clerk) (Entered: 05/27/1998)
06/01/1998	5	RESPONSE by Fred W. Allnutt Sr. in opposition to [3-1] motion to Dismiss by Richard L. Chauncey, Gordon R. Handler, Phil Brand, Marc Aronin, Albert D. Adams Jr. (c/s) (slf, Deputy Clerk) (Entered: 06/01/1998)

06/01/1998	6	Letter/ORDER informing parties a scheduling conference will be held on Monday, June 15, 1998 at 4:00 p.m. in my chambers. (signed by Magistrate Judge Susan K. Gauvey 5/29/98) (c/m dc) (slf, Deputy Clerk) (Entered: 06/01/1998)
06/15/1998	7	MOTION with memorandum in support by Fred W. Allnutt Sr. for Summary Judgment (c/s) (slf, Deputy Clerk) (Entered: 06/15/1998)
06/19/1998	8	STATUS REPORT by Fred W. Allnutt Sr., Albert D. Adams Jr., Marc Aronin, Phil Brand, Gordon R. Handler, Richard L. Chauncey (c/s) (slf, Deputy Clerk) (Entered: 06/19/1998)
06/22/1998	9	AMENDED COMPLAINT by Fred W. Allnutt Sr. amending [1-1] complaint against United States (c/s) (jnl, Deputy Clerk) (Entered: 06/23/1998)
06/29/1998	10	CORRESPONDENCE (Memorandum addressing the issue of limited discovery in FOIA Cases) by United States (c/s) (slf, Deputy Clerk) (Entered: 06/30/1998)
07/06/1998	11	ANSWER to Complaint by United States (Attorney Melissa Anemojanis Holton), (slf, Deputy Clerk) (Entered: 07/08/1998)
07/13/1998	12	MOTION with memorandum in support by United States to Extend Time to respond to plaintiff's FOIA requests (c/s) (motion sent back to defendant, per J. Gauvey's Order of 8/5/98, paper No. 13) (slf, Deputy Clerk) Modified on 08/05/1998 (Entered: 07/13/1998)
08/05/1998	13	ORDER, "RETURNING" defendant's Expedited Motion for an Extension of Time to Respond to Plaintiff's FOIA Request. There was no need to file such a motion as therein set forth. (signed by Magistrate Judge Susan K. Gauvey 8/5/98) (c/m dc) (c/m) (slf, Deputy Clerk) (Entered: 08/05/1998)
10/19/1998	14	ORDER REFERRING CASE to Magistrate Judge Susan K. Gauvey for Settlement Conference signed by Sr. Judge Joseph H. Young 10/13/98) (c/m hg) (slf, Deputy Clerk) (Entered: 10/19/1998)
10/21/1998	15	ORDER that a "SETTLEMENT CONFERENCE" has been set. (signed by Magistrate Judge Susan K. Gauvey 10/19/98) (c/m dc) (slf, Deputy Clerk) (Entered: 10/21/1998)
12/03/1998	16	ORDER that the settlement conference has been rescheduled for Thursday, January 14, 1999 at 9:00 a.m.(signed by Magistrate Judge Susan K. Gauvey 12/3/98) (c/m dc) (slf, Deputy Clerk) (Entered: 12/03/1998)
02/02/1999	17	ORDER, that the Settlement Conference has been rescheduled. (signed by Magistrate Judge Susan K. Gauvey 2/1/99) (c/m dc) (slf, Deputy Clerk) (Entered: 02/02/1999)
03/25/1999	18	MOTION with memorandum in support by United States for Summary Judgment and attachments. (c/s) (slf, Deputy Clerk) (Entered: 03/26/1999)
03/26/1999	19	Rule 12/56 letter mailed to plaintiff. (slf, Deputy Clerk) (Entered: 03/26/1999)
04/06/1999	20	UNOPPOSED MOTION by Fred W. Allnutt Sr. to Extend Time to file response (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 04/06/1999)
04/08/1999	<u>21</u>	ORDER granting [20-1] motion to Extend Time to file response is extended to 4/19/99. (signed by Sr. Judge Joseph H. Young 4/7/99) (c/m 4/8/99) (slf, Deputy Clerk) (Entered: 04/08/1999)
04/19/1999	22	RESPONSE by Fred W. Allnutt Sr. in opposition to [18-1] motion for Summary Judgment by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 04/20/1999)
04/19/1999	23	MEMORANDUM by Fred W. Allnutt Sr. in support of [22-1] opposition response by Fred W. Allnutt Sr. (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 04/20/1999)
04/19/1999	24	MOTION with memorandum in support by Fred W. Allnutt Sr. to Strike Declaration of Melissa A. Holton (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 04/20/1999)

04/19/1999	25	MOTION with memorandum in support by Fred W. Allnutt Sr. to Strike Declaration of Joyce Lewis (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 04/20/1999)
04/29/1999	26	ORDER SETTING a Scheduling Conference. (signed by Sr. Judge Joseph H. Young 4/28/99) (c/m chambers) (slf, Deputy Clerk) (Entered: 04/29/1999)
05/25/1999		Scheduling conference held before Sr. Judge Young. (pat, Deputy Clerk) (Entered: 05/26/1999)
05/28/1999	27	SUPPLEMENTAL MEMORANDUM by United States in support of [18-1] motion for Summary Judgment by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/01/1999)
06/07/1999	28	ORDER, that Civil Action Y-98-901 and Civil Action Y- 98-1722 be CONSOLIDATED for all purposes as therein set forth. (signed by Sr. Judge Joseph H. Young 6/7/99) (c/m chambers) (slf, Deputy Clerk) (Entered: 06/07/1999)
06/07/1999		Consolidated Lead Case (slf, Deputy Clerk) (Entered: 06/07/1999)
06/15/1999	29	RESPONSE by Fred W. Allnutt Sr. in opposition to [18-1] motion for Summary Judgment by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/15/1999)
06/15/1999	30	MOTION by Fred W. Allnutt Sr. to Show Cause (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/15/1999)
06/17/1999	31	RESPONSE by Fred W. Allnutt Sr. in opposition to [18-1] supplemental memorandum in support of summary judgment motion by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/17/1999)
06/25/1999	32	REPLY by United States in 1:98-cv-00901, U.S. Department . in 1:98-cv-00901 to response to [18-1] motion for Summary Judgment by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/25/1999)
06/25/1999	32	RESPONSE by United States in 1:98-cv-00901, U.S. Department . in 1:98-cv-00901 to [30-1] motion to Show Cause by Fred W. Allnutt Sr. (c/s) (slf, Deputy Clerk) (Entered: 06/25/1999)
06/25/1999	33	RESPONSE by United States to plaintiff's response to second supplemental memorandum in support of [18-1] motion for Summary Judgment by United States (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/25/1999)
06/29/1999	34	REPLY by Fred W. Allnutt Sr. in 1:98-cv-00901 to response to [7-1] motion for Summary Judgment by Fred W. Allnutt Sr. (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/29/1999)
06/29/1999	34	REPLY by Fred W. Allnutt Sr. in 1:98-cv-00901 to response to [30-1] motion to Show Cause by Fred W. Allnutt Sr. (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 06/29/1999)
06/29/1999	34	FIRST SUPPLEMENT to MOTION by Fred W. Allnutt Sr. in for Summary Judgment (cc Mag. J. Gauvey) (slf, Deputy Clerk) Modified on 06/29/1999 (Entered: 06/29/1999)
07/06/1999	35	RESPONSE by Fred W. Allnutt Sr. to reply to [7-1] motion for Summary Judgment by Fred W. Allnutt Sr. (cc Mag. J. Gauvey) (slf, Deputy Clerk) (Entered: 07/06/1999)
09/17/1999	36	CORRESPONDENCE by Fred W. Allnutt Sr. RE: Case. (c/s) (slf, Deputy Clerk) (Entered: 09/17/1999)
09/27/1999	37	CORRESPONDENCE by United States RE: recent decision in plaintiff's case. (c/s) (slf, Deputy Clerk) (Entered: 09/27/1999)
10/12/1999	38	ORDER REFERRING CASE to Magistrate Judge Susan K. Gauvey for Dispositive motions. signed by Sr. Judge Joseph H. Young 10/6/99) (c/m hg 10/8/99) (slf, Deputy Clerk) (Entered: 10/12/1999)

12/10/1999	39	Reassignment to Magistrate Judge Paul W. Grimm, previously referred to Mag. J. Susan K. Gauvey. (signed by Magistrate Judge Paul W. Grimm 12/8/99) (c/m 12/10/99) (slf, Deputy Clerk) (Entered: 12/10/1999)
12/10/1999		CASE NO LONGER REFERRED TO Magistrate Judge Susan K. Gauvey (slf, Deputy Clerk) (Entered: 12/10/1999)
03/07/2000	40	REPORT AND RECOMMENDATIONS of Magistrate Judge Paul W. Grimm . Case no longer referred to Magistrate Judge Paul W. Grimm Objections to R and R due by 3/29/00 (slf, Deputy Clerk) Modified on 03/21/2000 (Entered: 03/07/2000)
03/20/2000	41	MOTION by Fred W. Allnutt Sr. in 1:98-cv-00901 to Extend Time to respond to Report and Recommendation (c/s) (slf, Deputy Clerk) (Entered: 03/20/2000)
03/20/2000	43	RESPONSE by United States in 1:98-cv-00901 in opposition to [40-1] report and recommendations (cc Mag. J. Grimm) (slf, Deputy Clerk) (Entered: 03/21/2000)
03/21/2000	42	ORDER, that Mr. Allnutt failed to comply with Local Rule 102.1.b.11 and the Report &Recommendation was mailed to the address for him which was in the Clerk's office. When that mailing was returned by the Post office as undeliverable, another address was located only because a deputy clerk located an address from correspondence from Mr. Allnutt. A copy of the Report &Recommendation was mailed to this new address on 3/15/00. Accordingly, Mr. Allnutt has 10 days, from 3/15/00, (excluding weekends) or to 3/29/00 in which to file his exceptions. Granting [41-1] motion to Extend Time to respond to Report and Recommendation is extended to 3/29/00 in which to file his exceptions. (signed by Magistrate Judge Paul W. Grimm 3/21/00) (c/m jf) (slf, Deputy Clerk) (Entered: 03/21/2000)
03/24/2000	44	SECOND MOTION by Fred W. Allnutt Sr. to Extend Time to respond to Report and Recommendation and exhibits. (c/s) (cc Mag. J. Grimm) (slf, Deputy Clerk) (Entered: 03/24/2000)
03/24/2000	45	MEMORANDUM TO COUNSEL, ORDER granting [44-1] motion to Extend Time to respond to Report and Recommendation is extended to 4/3/00. (signed by Mag. J. Paul W. Grimm 3/24/00) (c/m jf) (slf, Deputy Clerk) (Entered: 03/24/2000)
04/03/2000	46	RESPONSE by Fred W. Allnutt Sr. in 1:98-cv-00901 in opposition to [40-1] report and recommendations and exhibits. (cc Mag. J. Grimm) (slf, Deputy Clerk) Modified on 04/03/2000 (Entered: 04/03/2000)
04/03/2000	47	MEMORANDUM by Fred W. Allnutt Sr. in 1:98-cv-00901 in support of [46-1] opposition response by Fred W. Allnutt Sr. and Rule 56 Affidavit and exhibits. (cc Mag. J. Grimm) (slf, Deputy Clerk) (Entered: 04/03/2000)
04/19/2000	48	CORRESPONDENCE by Fred W. Allnutt Sr. RE: Rule 56 affidavit to validate and certify documents in support of line placing bond and related papers into record. (c/s) (slf, Deputy Clerk) (Entered: 04/19/2000)
04/19/2000	49	RESPONSE by United States in 1:98-cv-00901 to [46-1] opposition response by Fred W. Allnutt Sr. (c/s) (slf, Deputy Clerk) (Entered: 04/20/2000)
04/20/2000	50	MOTION by United States to Extend Time to respond to plaintiff's objection to report and recommendation (c/s) (jnl, Deputy Clerk) (Entered: 04/21/2000)
04/26/2000	51	RESPONSE by United States in 1:98-cv-00901 to [46-1] opposition response by Fred W. Allnutt Sr. (c/s) (slf, Deputy Clerk) (Entered: 04/27/2000)
05/24/2000	52	MEMORANDUM OPINION (signed by Sr. Judge Joseph H. Young 5/23/00) (microfilmed 5/23/00) (c/m chambers) (slf, Deputy Clerk) (Entered: 05/24/2000)
05/24/2000	53	ORDER granting [18-1] motion of U.S. Trustee for Summary Judgment denying [34-1] motion of plaintiff for Summary Judgment, denying [7-1] motion of plaintiff for Summary Judgment denying [25-1] motion of plaintiff to Strike Declaration of Joyce Lewis, denying [24-1] motion of plaintiff to Strike Declaration of Melissa A. Holton denying [30-1] motion of plaintiff to Show Cause dismissing as moot [3-1] motion of defendants Adams, et al, to Dismiss; that the Department of Justice's motion for summary judgment is granted in part and denied in part without prejudice; that the Department of Justice submit

		Document 10 to the Court for in camera review in accordance with the attached Memorandum Opinion. (signed by Sr. Judge Joseph H. Young 5/23/00) (c/m chambers) (microfilmed 5/23/00) (slf, Deputy Clerk) (Entered: 05/24/2000)
05/24/2000		Case closed (slf, Deputy Clerk) (Entered: 05/24/2000)
06/01/2000		Case reopened (slf, Deputy Clerk) (Entered: 06/07/2000)
06/01/2000		Case closed in error. (slf, Deputy Clerk) (Entered: 06/07/2000)
06/06/2000	54	NOTICE of attorney appearance for U.S. Department of Justice by Pat S. Genis. (c/s) (slf, Deputy Clerk) (Entered: 06/06/2000)
06/06/2000	55	NOTICE of In Camera Submission of Document 10 by U.S. Department of Justice. SEALED (slf, Deputy Clerk) (Entered: 06/06/2000)
07/07/2000	56	MOTION by United States to renew motion for Summary Judgment (c/s) (slf, Deputy Clerk) (Entered: 07/07/2000)
07/18/2000	57	NOTICE OF APPEAL (COPY) by Fred W. Allnutt Sr. in 1:98-cv-00901, Fred W. Allnutt Sr. in 1:98-cv-01722. (ORIGINAL FILED IN CIVIL CASE Y-98-901) (mdd, Deputy Clerk) Modified on 07/18/2000 (Entered: 07/18/2000)
07/18/2000		Notice of appeal and certified copy of docket to USCA: [57-1] appeal by Fred W. Allnutt Sr., Fred W. Allnutt Sr. in 1:98-cv-00901, [28-1] appeal by Fred W. Allnutt Sr., Fred W. Allnutt Sr. in 1:98-cv-01722 (mdd, Deputy Clerk) (Entered: 07/18/2000)
07/28/2000		USCA Case Number Re: [57-1] appeal by Fred W. Allnutt Sr., Fred W. Allnutt Sr. USCA NUMBER: 00-1960 (Case Mgr. J.St.John) (mdd, Deputy Clerk) (Entered: 07/28/2000)
09/28/2000	58	Attested copy of the Order of the U.S. Court of Appeals, for the Fourth Circuit "DISMISSING" the appeal, pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure (c/s) (sls, Deputy Clerk) (Entered: 09/28/2000)
10/11/2000	59	Letter/ORDER, informing parties it seems that all issues in these cases have been resolved and there is no need to have any further proceedings in this court. I am writing to ask if there is any objection to this method of concluding these cases, that the Court be notified within 10 days of this date. If there is no objection, the cases will then be closed upon the records of the Court. (signed by Sr. Judge Joseph H. Young 10/3/00) (c/m chambers) (slf, Deputy Clerk) (Entered: 10/12/2000)
10/11/2000	60	RESPONSE by Fred W. Allnutt Sr. in 1:98-cv-00901 to [59-1] order (c/s) (slf, Deputy Clerk) (Entered: 10/12/2000)
10/11/2000	60	MOTION by Fred W. Allnutt Sr. in 1:98-cv-00901 for final order (slf, Deputy Clerk) (Entered: 10/12/2000)
10/24/2000	61	MEMORANDUM OPINION (signed by Sr. Judge Joseph H. Young 10/23/00) (c/m chambers) (microfilmed 10/14/00) (slf, Deputy Clerk) (Entered: 10/24/2000)
10/24/2000	62	ORDER granting [56-1] motion of defendant to renew motion for Summary Judgment; and the Department of Justice's motion for Summary Judgment is Granted. (signed by Sr. Judge Joseph H. Young 10/23/00) (c/m chambers) (microfilmed 10/24/00) (slf, Deputy Clerk) (Entered: 10/24/2000)
10/24/2000		Case closed (slf, Deputy Clerk) (Entered: 10/24/2000)
12/26/2000	63	NOTICE OF APPEAL by Fred W. Allnutt Sr. in 1:98-cv-00901. Fee Status: (filing fee paid) (c/s) (ko, Deputy Clerk) (Entered: 12/28/2000)
12/28/2000		Notice of appeal and certified copy of docket to USCA: [63-1] appeal by Fred W. Allnutt Sr. (c/s) (ko, Deputy Clerk) (Entered: 12/28/2000)
01/12/2001		USCA Case Number Re: [63-1] appeal by Fred W. Allnutt Sr. USCA NUMBER: 01-1038 (Case Manager: Pamela Stump) (ko, Deputy Clerk) (Entered: 01/12/2001)

01/16/2001		Certified and transmitted record on appeal to U.S. Court of Appeals: [63-1] appeal by Fred W. Allnutt Sr. (vols. 1 thru 3) (ko, Deputy Clerk) Modified on 01/16/2001 (Entered: 01/16/2001)
06/21/2001	64	MOTION with memorandum in support by Fred W. Allnutt Sr. to Show Cause and affidavit of Fred W. Allnutt. (c/s) (slf, Deputy Clerk) (Entered: 06/21/2001)
06/27/2001	65	JUDGMENT OF USCA affirming the judgment of the District Court, copy of opinion attached hereto (certified copy) Re: [63-1] appeal by Fred W. Allnutt Sr. (c/s) (ko, Deputy Clerk) (Entered: 06/27/2001)
06/27/2001		Record on appeal returned from U.S. Court of Appeals: [63-1] appeal by Fred W. Allnutt Sr. (vols. 1 thru 3) (ko, Deputy Clerk) (Entered: 06/27/2001)
07/10/2001	66	RESPONSE by United States Trustee to [64-1] motion of Fred W. Allnutt Sr. to Show Cause (c/s) (eg, Deputy Clerk) (Entered: 07/11/2001)
07/18/2001	67	REPLY by Fred W. Allnutt Sr. to U.S. Trustee response to his [64-1] motion to Show Cause and Attachment (c/s) (jnl, Deputy Clerk) (Entered: 07/18/2001)
07/18/2001	68	MOTION by Fred W. Allnutt Sr. for order requiring defendant to Show Cause (c/s) (jnl, Deputy Clerk) (Entered: 07/18/2001)
07/19/2001	69	MEMORANDUM OPINION (Published (signed by Sr. Judge Joseph H. Young 7/19/01) (jnl, Deputy Clerk) (Entered: 07/20/2001)
07/19/2001	70	ORDER denying [68-1] motion of plaintiff for order requiring defendant to Show Cause (signed by Sr. Judge Joseph H. Young 7/19/01) (c/m 7/19/01 chambers) (jnl, Deputy Clerk) (Entered: 07/20/2001)